

KATHLEEN A. LEAVITT
CHAPTER 13 STANDING TRUSTEE
201 Las Vegas Blvd South
Suite 200
Las Vegas, NV 89101
(702) 853-0700

E-FILED:01/19/2010

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

IN RE:
ALFREDO PANTOJA-GARCIA

CASE NO: BKS-09-33057-MKN

CHAPTER 13

Hearing Date: February 25, 2010

Hearing Time: 1:30 pm

THE SCHWARTZ LAW FIRM
Attorney for the Debtor

**TRUSTEE'S OPPOSITION TO CONFIRMATION OF PLAN 1
COMBINED WITH TRUSTEE'S RECOMMENDATION FOR DISMISSAL**

The Trustee herein, Kathleen A. Leavitt, hereby objects to confirmation of Plan and hereby represents the following:

The Debtor(s) filed for Chapter 13 relief on 12/08/2009. The 341(a) Meeting of Creditors held on January 19, 2010 at 1:00 pm was:

- Concluded

The Trustee objects to confirmation of the Chapter 13 Plan for the following reason(s):

- Compensation of Debtor's attorney requires an independent review by the court. Trustee requests that Debtor's attorney file an application for compensation pursuant to 11 USC §329 and 11 USC §330.
- The Plan fails to provide for all of the Debtor's disposable income [11 USC § 1325 (b)(1)(B)] based on SCHEDULE J
- The Debtor(s) has failed to cooperate with the Trustee [11 USC § 521(a)(3)] as the following documents were not provided:
 - Paystubs for the following periods: MRS: NOVEMBER 2009. 11 USC §704(a)(4) and/or 11 USC §521(a)(1)(B)(iv)
 - Bank Statements for the following periods: NEVADA FEDERAL CREDIT UNION #7851: 12/1 - 8/09.
 - Verification of RENTAL AGREEMENT ON RENTAL PROP AND RENTAL CONTRACT WHEN THE DEBTOR MOVES.
 - Amendment to Form B22C Chapter 13 Statement of Current Monthly Income and Calculation of Commitment Period and Disposable Income: LIST MRS INCOME; RENTAL INCOME; LINE #4: DEBTOR WILL BE ABOVE MEDIAN INCOME.
 - Amendment to Plan: 2.13.1: NEED TO START PAYMENTS IN MONTH 1 AND INCLUDE AMORTIZED PAYMENT AND INTEREST RATE.
 - Amendment to Schedule J. Current Expenditures of Individual Debtor(s): REMOVE PAYMENTS FOR HOUSE THAT IS BEING CRAMMED DOWN.
 - Affidavit and Disclosure of Domestic Support Obligation must be provided by the Debtor at the Confirmation Hearing to enable the Trustee to perform her duty under 11 USC §1302(d) and §704(a)(10) and (c) to investigate the financial affairs of the Debtor.

THEREFORE, the Trustee objects to confirmation for the foregoing reasons and recommends that this case be dismissed and that the Trustee be allowed administrative expenses in the amount of \$150.00.

Dated: 01/19/2010

/s/Kathleen A. Leavitt

Kathleen A. Leavitt
Chapter 13 Trustee

CERTIFICATE OF NOTICEDistrict/off: 0978-2
Case: 09-33057User: leavitttl
Form ID: pdf891Page 1 of 1
Total Noticed: 20

Date Rcvd: Jan 20, 2010

The following entities were noticed by first class mail on Jan 22, 2010.

db +ALFREDO PANTOJA-GARCIA, 3679 GOLDEN SUNSET CT., LAS VEGAS, NV 89115-1284
 cr +SAXON SPECIAL SERVICES, 1270 Northland Dr Suite 200, Mendota Heights, MN 55120-1176
 5478710 +Aegis Mortgage Corp, Acct No 301513594, Attn: Bankruptcy, 3250 Briarpark Dr Ste 400,
 Houston, TX 77042-4462
 5478712 +Americas Servicing Co, Acct No 1061127133120, Attention: Bankruptcy, 1 Home Campus,
 Des Moines, IA 50328-0001
 5478713 +Aurora Loan Services, Acct No 3640123814436, Attn: Bankruptcy Dept., Po Box 1706,
 Scottsbluff, NE 69363-1706
 5478714 +Central Mortgage Co, Acct No 290063614, Attention: Bankruptcy Dept., 1100 Virginia Drive,
 Fort Washington, PA 19034-3204
 5478716 +Creditburcen, Acct No 9A3991324, 2355 Red Rock St Ste 200, Las Vegas, NV 89146-3106
 5478707 +Dept of Employment, Training and Rehab, Employment Security Division, 500 East Third Street,
 Carson City, NV 89713-0002
 5478708 ++INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 21126,
 PHILADELPHIA PA 19114-0326
 (address filed with court: IRS, P.O. Box 21126, DPN 781, Philadelphia, PA 19114)
 5478709 +Nevada Dept of Taxation, BK Section, 555 E. Washington Ave. #1300, Las Vegas, NV 89101-1046
 5478718 +Prin Res Mtg, Acct No 8390626, Attn: Bankruptcy, Des Moines, IA 50392-0001
 5478719 +Rainbow Loan, Acct No Pantoja, 1600 N. Nellis, Las Vegas, NV 89115-3600
 5495170 +SAXON SPECIAL SERVICES, 1270 NORTHLAND DR. #200, MENDOTA HEIGHTS, MN 55120-1176
 5478720 +Saxon Mortgage Sercive, Acct No 2000309788, 4708 Mercantile Dr. North,
 jFortworth, TX 76137-3605
 5478721 +Specialized Loan Servi, Acct No 1002701340, 8742 Lucent Blvd,
 Highlands Ranch, CO 80129-2302
 5478722 +Sun Loan Co, Acct No 7054, 1600 N Nellis Blvd Ste 1, Las Vegas, NV 89115-3600
 5557739 +US BANK NATIONAL ASSOCIATION, C/O AMERICA'S SERVICING CO., ONE HOME CAMPUS MAC ID#X2302-04C,
 DES MOINES, IA 50328-0001
 5478717 ++WACHOVIA BANK NA, PO BOX 13765, ROANOKE VA 24037-3765
 (address filed with court: Homeq, Acct No 6930322861782, Attn: Bankruptcy Department,
 1100 Corporate Center, Raleigh, NC 27607)

The following entities were noticed by electronic transmission on Jan 21, 2010.

5478715 +Fax: 702-214-8669 Jan 21 2010 04:51:14 Check City, Acct No 7054, 631 N. Nellis Blvd.,
 Las Vegas, NV 89110-5383
 5478706 +E-mail/Text: USTPRegion17.LV.ECF@usdoj.gov United States Trustee,
 300 Las Vegas Blvd. South #4300, Las Vegas, NV 89101-5803

TOTAL: 2

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr US BANK NATIONAL ASSOCIATION
 5478711 Alejandro Benitez-Montano

TOTALS: 2, * 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Addresses marked '++' were redirected to the recipient's preferred mailing address
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 22, 2010

Signature:

